

REMARKS

Claims in the case are 1-4, 7, 12-19 and 22-24, upon entry of this amendment. Claims 1-4 and 12-17 have been amended, Claims 22, 23 and 24 have been added, and Claims 5, 6, 8-11, 20 and 21 have been cancelled herein.

Claims 12-17 have been amended herein to replace "comprise" with --comprises-- for purposes of improve grammar. Additional amendments to the claims will be discussed further herein.

Basis for added Claim 22 is found: in original Claim 1; at page 1, lines 11-21; and at page 10, lines 5-9 of the specification. Basis for added Claims 23 is found: in original Claim 3; at page 1, lines 11-21; and at page 5, lines 26-28 of the specification. Basis for added Claim 24 is found in Claim 1, and at page 1, lines 10-21 of the specification.

In the Office Action of 28 March 2003, the Examiner has required an election from amongst three (3) groups of claims: Group I (i.e., Claims 1-9 and 12-19, which are drawn to a process of dyeing); Group II (i.e., Claims 10 and 11, which are drawn to a composition of matter); and Group III (i.e., Claims 20 and 21, which are drawn to a dip-dyed article). Applicants herein affirm the provisional election that was made by their Patent Agent, James R. Franks, in a telephone conversation with the Examiner on 11 March 2003. The present affirmed election is made without traverse.

All non-elected claims have been cancelled, and Applicants will take appropriate action relative thereto in due course.

Claims 1-9 and 12-19 stand rejected under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed in light of the amendments herein and the following remarks.

Claims 1 and 3 have been amended herein to replace the term "predetermined" in step (ii) with --tinting--. Basis for the amendments to Claims 1 and 3 are found at page 5, lines 14-15 of the specification.

Claims 2 and 4 have been amended herein to replace the term "surfactant" with a recitation of emulsifiers that the dyeing bath may further comprise. Basis for the amendments to Claims 2 and 4 is found at page 7, line 16 through page 8, line 7

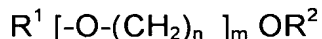
of the specification.

In light of the amendments herein and the preceding remarks, Applicants' claims are deemed to particularly point out and distinctly claim the subject matter which they regard as their invention. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1-4, 7-9, 17 and 18 stand rejected under 35 U.S.C. §102(b) as being anticipated by or under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 4,310,330 (**Funaki et al**). This rejection is respectfully traversed with regard to the amendments herein and the following remarks.

Funaki et al disclose a method of coloring a nonfogging article that contains a surfactant by bringing the article into contact with a dying solution containing a surfactant, a solvent and a coloring material (abstract). The surfactant of Funaki et al's method may be a polyoxyethylene alkylaryl ether type (column 4, lines 28-35).

Funaki et al do not disclose, teach or suggest the process of dyeing according to Applicants' present Claims 1 and 3, which makes use of a bath containing a carrier represented by the following formula,



wherein R² denotes butyl, R¹ denotes H, n is 2 or 3, and m is 2-35. It is noted that the rejection does not include Claims 5 and 6, which have been cancelled, and the subject matter thereof incorporated into Claims 1 and 3, respectively, by amendment herein.

In addition, Funaki et al do not disclose, teach or suggest the process of dyeing according to Applicants' present Claims 22-24, which include the step of,

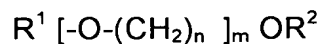
- (i) preparing a dyeing bath comprising the following sequential steps,
 - (a) mixing at least one dye with a carrier to form a dye-carrier mixture, and
 - (b) adding water to said dye-carrier mixture to form said dyeing bath comprising said carrier and a tinctorial amount of said dye.

In light of the amendments herein and the preceding remarks, Applicants' claims are deemed to be unanticipated by, and unobvious and patentable over Funaki et al. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1-4, 7-9 and 18 stand rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 3,514,246 (**Bianco et al**). This rejection is respectfully traversed with regard to the amendments herein and the following remarks.

Bianco et al discloses a method of dyeing molded polycarbonate by immersion in an emulsified dye liquor, which includes a water-insoluble and oil-insoluble surface active agent that is dissolved in an aliphatic hydrocarbon solvent, and an amount of water sufficient to provide a dyestuff concentration of up to one (1) percent by weight (abstract).

Bianco et al do not disclose, teach or suggest the process of dyeing according to Applicants' present Claims 1 and 3, which makes use of a bath containing a carrier represented by the following formula,



wherein R^2 denotes butyl, R^1 denotes H, n is 2 or 3, and m is 2-35. It is noted that the rejection does not include Claims 5 and 6, which have been cancelled, and the subject matter thereof incorporated into Claims 1 and 3, respectively, by amendment herein.

In addition, Bianco et al do not disclose, teach or suggest the process of dyeing according to Applicants' present Claims 22-24, which include the step of,


- (i) preparing a dyeing bath comprising the following sequential steps,
 - (a) mixing at least one dye with a carrier to form a dye-carrier mixture, and
 - (b) adding water to said dye-carrier mixture to form said dyeing bath comprising said carrier and a tinctorial amount of said dye.

In fact, Bianco et al disclose first mixing a dye with water, then adding a carrier to the dye-water mixture. See column 5, lines 42-55 (Example I) of Bianco et al.

In light of the amendments herein and the preceding remarks, Applicants' claims are deemed to be unanticipated by Bianco et al. Reconsideration and withdrawal of this rejection is respectfully requested.

In light of the amendments herein and the preceding remarks, Applicants' presently pending claims are deemed to meet all the requirements of 35 U.S.C. §112, and to define an invention that is unanticipated, unobvious and hence, patentable. Reconsideration of the rejections and allowance of all of the presently pending claims is respectfully requested.

Respectfully submitted,

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